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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/578,090	01/22/2007	Yechezkel Barenholz	BARENHOLZ17	4718	
	7590 04/16/201 [.] D NEIMARK, P.L.L.C	EXAMINER			
624 NINTH ST		KISHORE, GOLLAMUDI S			
SUITE 300 WASHINGTON, DC 20001-5303			ART UNIT	PAPER NUMBER	
				1612	
			MAIL DATE	DELIVERY MODE	
			04/16/2010	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
Office Action Comment	10/578,090	BARENHOLZ ET AL.				
Office Action Summary	Examiner	Art Unit				
	GOLLAMUDI S. KISHORE	1612				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on						
	-· action is non-final.					
3)☐ Since this application is in condition for allowan		secution as to the merits is				
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
	,					
Disposition of Claims						
4)⊠ Claim(s) <u>62-79</u> is/are pending in the application	☑ Claim(s) <u>62-79</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.	5) Claim(s) is/are allowed.					
6)☐ Claim(s) is/are rejected.	6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.						
8)⊠ Claim(s) <u>62-79</u> are subject to restriction and/or	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:	a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received.					
1. Certified copies of the priority documents						
2. Certified copies of the priority documents						
3. Copies of the certified copies of the prior						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
	·					
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summary					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date						
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application Other:						
-F	/ 🗀					

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DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 62-75 are, drawn to a method of *treatment* of a disease or disorder of the mucosa by administering *anionic* lipid assemblies.

Group II, claim(s) 76-79 are, drawn to a method of *prevention* of a disease or disorder of

the mucosa by administering *cationic* lipid assemblies.

2. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Group I is drawn to 'treatment' whereas Group II is drawn to prevention. Group I uses anionic lipid assemblies whereas Group II uses cationic lipid assemblies. The two inventions are independent and distinct.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to GOLLAMUDI S. KISHORE whose telephone number is (571)272-0598. The examiner can normally be reached on 6:30 AM- 4 PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krass Frederick can be reached on (571) 272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gollamudi S Kishore/ Primary Examiner, Art Unit 1612

GSK